



# City of Marietta

205 Lawrence Street  
Post Office Box 609  
Marietta, Georgia 30061

## Meeting Minutes JUDICIAL/LEGISLATIVE COMMITTEE

*Philip M. Goldstein, Chairperson  
Van Pearlberg  
Jim King*

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Wednesday, February 24, 2010

Fourth Floor Conference Room

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### Immediately following the Parks, Recreation and Tourism Committee

**Presiding:** *Philip M. Goldstein*  
**Present:** *Jim King and Van Pearlberg*

**Also Present:**  
*R. Steve Tumlin, Mayor*  
*Annette Lewis, Council - Ward 1*  
*Grif Chalfant, Council - Ward 2*  
*Johnny Sinclair, Council - Ward 3*  
*Rev. Anthony Coleman, Council - Ward 5*  
*William F. Bruton, Jr., City Manager*  
*Doug Haynie, City Attorney*  
*Stephanie Guy, City Clerk*

### CALL TO ORDER:

*Chairman Philip M. Goldstein called the meeting to order at 5:41 p.m., and immediately recessed. The meeting reconvened at 6:48 p.m.*

### MINUTES:

**20100119 Regular Meeting - January 27, 2010**

Review and approval of the January 27, 2010 regular meeting minutes.

**A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Approved. The motion carried by the following vote:**

**Vote: 3 - 0 - 0                      Approved**

### BUSINESS:

**20100187 Manget**

Manget Revised Detailed Plan and final plat approval.

*Staff was directed to meet with the representative of the project to resolve outstanding issues and bring this matter back to the Committee of the Whole.*

**This matter was Referred to the COMMITTEE OF THE WHOLE**

**20100179 Amendment of 2008 Order of Bond Schedule**

Approval of an Ordinance amending the current Order of Bond Schedule to reflect changes to bond amounts for offenses of shoplifting and various tag violations.

**A motion was made by Council member King, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 2 - 0 - 0 Recommended for Approval - Consent Agenda**  
Abstaining: Van Pearlberg

**20100092 Historic Preservation Ordinance**

Approval of the proposed Historic Preservation Ordinance.

*The City Attorney was directed to incorporate suggested changes to the Historic Preservation Ordinance. This matter was moved forward to the Consent Agenda.*

**This matter was Recommended for Approval - Consent Agenda**

**20100214 Property Management Agreement**

Motion approving the attached Property Management Agreement between the city of Marietta and the Marietta Housing Authority for Preston Chase Apartments.

**A motion was made by Council member Pearlberg, seconded by Council member Goldstein, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 - 0 - 0 Recommended for Approval - Consent Agenda**

**20100186 Jim Ellis Volkswagon**

Request by Jim Ellis Volkswagen to waive 12 month time limit on resubmission of a variance request

**This matter was No Action Taken**

**A motion was made by Council member Pearlberg, seconded by Council member King, to suspend the rules of order to add an agenda item regarding an ordinance amending the City Charter. The motion carried by the following vote:**

**Vote: 3 - 0 - 0 Approved**  
(See agenda item 20100245)

**20100245 City Charter Amendment regarding Agenda Work Sessions**

Resolution to the Cobb Delegation regarding an amendment to Charter Section 2.9 relative to Council meetings, regular and special.

**A motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 - 0 - 0 Recommended for Approval - Consent Agenda**

**20100206 Unexpired contracts**

Motion to ratify certain unexpired contracts in accordance with section 36-30-3 of the Official Code of Georgia Annotated (O.C.G.A.) with the ability to terminate in 60 days.

*Discussion was held. It was suggested that the contracts be listed on the Council agenda. Also, this matter should be split into two motions, separating those where Council member Goldstein has provided a disclosure. (See agenda item 20100280)*

**A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 3 - 0 - 0 Recommended for Approval - Consent Agenda**

*At this time, Council member Goldstein left the conference room.*

**20100280 Additional Unexpired contracts**

Motion to ratify certain unexpired contracts in accordance with section 36-30-3 of the Official Code of Georgia Annotated (O.C.G.A.) with the ability to terminate in 60 days.

- Contract Nos. 2907 & 799 Temporary License Agreement with Wesley A. Godwin for placement of power generator at 48 Atlanta Street. The agreement is on-going w/30-day termination notice.

*Disclosure by Councilman Philip M. Goldstein: Deventer North America, Inc is a tenant of mine at 48 Atlanta Street/39 Winters Street and currently subleases the property to another person or entity. I abstain from this issue dealing with Deventer North America, Inc.*

-Contract 3696 Temporary Revocable License Agreement between the City of Marietta and the Theatre in the Square to encroach on city right-of-way to support three (3) columns to support a new building façade and marquee. Approved July 8, 2009.

*Disclosure by Councilman Philip M. Goldstein: Theatre in the Square, Inc. is a Tenant of mine at this address. I abstain from this issue dealing with Theatre in the Square, Inc.*

*Discussion was held. Staff was directed to bring back additional information regarding Contract Nos. 2907 and 799.*

**A motion was made by Council member King, seconded by Council member Pearlberg, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:**

**Vote: 2 - 0 - 0**

**Recommended for Approval - Consent Agenda**

Absent for the vote: Philip M. Goldstein

**ADJOURNMENT:**

*The meeting was adjourned at 10:22 p.m.*

**Respectfully submitted,**

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**Stephanie Guy, City Clerk**

**Approved:** \_\_\_\_\_